

ment has been so filed; providing that all leases, assignments of leases, and releases of any State school or asylum land, in which the State has a reservation of the minerals, shall state the true consideration and terms, and shall be accompanied by an affidavit signed by the owner and lessee that the consideration and term set out in said lease assignment of lease and/or release are true and correct, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, May 11, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 21, Requesting the State Highway Commission to equip said Highway Patrol with facilities and instruments necessary for enforcing all of said highway laws,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

SIXTY-FOURTH DAY

(Friday, May 12, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Camp.
Adamson.	Canon.
Aikin.	Cathey.
Alexander.	Caven.
Alsup.	Celaya.
Anderson	Chastain.
of Bexar.	Clayton.
Anderson	Colson.
of Johnson.	Coombes.
Baker.	Cowley.
Barrett.	Crossley.
Barron.	Daniel.
Beck.	Davidson.
Bedford.	Dean.
Bourne.	Devall.
Bradley.	Dunlap.
Burns.	Dunagan.
Butler.	Duvall.
Calvert.	Dwyer.

Engelhard.	McGregor.
Fain.	McKee.
Few.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Good.	Munson.
Goodman.	Nicholson.
Graves.	Palmer.
Greathouse.	Parkhouse.
Griffith.	Patterson.
Haag.	Pavlica.
Hankamer.	Pope.
Harman.	Puryear.
Harris.	Ramsey.
Harrison.	Ratliff.
Hartzog.	Ray.
Head.	Reader.
Hester.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill of Brazoria.	Renfro.
Hill of Webb.	Riddle.
Hodges.	Roberts.
Holekamp.	Rogers of Hunt.
Holland.	Rogers
Holloway.	of Ochiltree.
Hoskins.	Rollins.
Huddleston.	Ross.
Hughes.	Russell.
Hunt.	Savage.
Hyder.	Scarborough.
Jackson.	Scott.
James.	Shannon.
Jefferson.	Shults.
Johnson	Smith.
of Anderson.	Stanfield.
Jones of Atascosa.	Steward.
Jones of Runnels.	Stinson.
Jones of Shelby.	Stovall.
Kayton.	Sullivant.
Kyle of Hays.	Tarwater.
Kyle of Palo Pinto.	Tennyson.
Laird.	Thomas.
Latham.	Tillery.
Lemens.	Townsend.
Leonard.	Turlington.
Lindsey.	Van Zandt.
Long.	Vaughan.
Lotief.	Wagstaff.
Magee.	Walker.
Mackay.	Weinert.
Mathis.	Wells.
McClain.	Winningham.
McCullough.	Wood.
McDougald.	Young.

Absent—Excused

Fisher.	Merritt.
Johnson	Metcalfe.
of Dimmit.	

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Merritt for today, on motion of Mr. Jackson.

Mr. Metcalfe for today, on motion of Mrs. Hughes.

Mr. Rogers of Hunt for this afternoon on account of illness in his family, on motion of Mr. Smith.

RELATIVE TO HOUSE BILL NO. 842

Mr. Rogers of Ochiltree moved that House Bill No. 842 be laid on the table subject to call.

The motion was lost.

BILLS LAID ON THE TABLE SUBJECT TO CALL

On motion of Mr. Burns, House Bill No. 879 was laid on the table subject to call.

On motion of Mr. Walker, House Bill No. 770 was laid on the table subject to call.

On motion of Mr. Savage, House Bills Nos. 802 and 803 were laid on the table subject to call.

On motion of Mr. Kayton, House Bill No. 724 was laid on the table subject to call.

On motion of Mr. Aikin, House Bill No. 532 was laid on the table subject to call.

On motion of Mr. Pope, House Bill No. 809 was laid on the table subject to call.

On motion of Mr. Pope, House Bill No. 909 was laid on the table subject to call.

GRANTING R. P. PRICE PERMISSION TO SUE THE STATE

Mr. Scott offered the following resolution:

H. C. R. No. 88, Granting R. P. Price permission to sue State.

Whereas, On the fourth day of September, 1929, R. P. Price and wife, of Mitchell County, Texas, by deed of that date, duly recorded in the deed

records of Mitchell County, Texas, sold and conveyed to Fred Brown a tract of land 60x45 feet out of lots numbers seventeen (17) and sixteen (16), in Block No. thirty-eight (38), in the original Town of Colorado, Mitchell County, Texas, which property is fully described in said deed of record, in Volume 77, on page 87, of the deed records of said County; and the said grantors in said deed did retain a first vendor's lien upon said land to secure the payment of seven purchase money notes for \$500 each, which lien was, and is, a first and prior lien upon said property, except for taxes; and

Whereas, The last five of said notes are long past due and unpaid, both principal and interest, and said land is now not worth the amount due upon such first lien upon it, and the said Fred Brown is desirous of reconveying said property to the said R. P. Price, in cancellation of said indebtedness and lien, but, owing to the fact that a number of judgments have been filed and abstracted against the said Fred Brown, in said County of Mitchell, renders it necessary that a suit for foreclosure of said vendor's lien be brought, in order that a clear title, free of all junior liens, may be had by the purchaser at the foreclosure sale of such property; and

Whereas, On the seventh day of August, 1931, the State of Texas recovered a judgment in the Ninety-eight District Court of Travis County against the said Fred Brown, the Massachusetts Bonding & Indemnity Company and The American Surety Company, of New York, for the sum of \$21,732.37, with 8 per cent interest from said date, and \$38.85 costs of suit, and an abstract of said judgment was filed in Mitchell County, Texas, on September 1, 1931, and was duly recorded in the judgment lien records of said County, thereby fixing an apparent lien upon said property conveyed by R. P. Price and wife to Fred Brown, as aforesaid, as well as upon other real estate of the said Fred Brown in Mitchell County; and

Whereas, In order to clear the title to said property, it is necessary that the State of Texas be made a party defendant to any suit brought by said R. P. Price, as the owner and holder of said vendor's lien notes given by said Fred Brown in part payment for said land; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That R. P. Price be, and hereby is, granted permission to bring suit against the State of Texas, in a court of competent jurisdiction, as party defendant in a suit to foreclose the vendor's lien asserted by said R. P. Price upon the property conveyed by him to Fred Brown, and to determine the priority of the lien of the said R. P. Price, if any he can show, over that held by the State of Texas upon said property, and for general relief; and that service of citation in such suit, or other necessary process therein, may be had upon the Attorney General with the same force and effect as in civil cases.

On motion of Mr. Alsup, the reading of the resolution was dispensed with at this time, and the resolution was referred to the Committee on State Affairs.

PROVIDING FOR ADDITIONAL POSTAGE FOR MEMBERS

Mr. Mathis offered the following resolution:

Whereas, A number of the Members of the House have used all of their stamp, telephone, and telegraph allowance in the discharge of their duties as Members of the Forty-third Legislature; and,

Whereas, The resolution passed at the beginning of this session provided an amount not sufficient to cover the expenses of these Members during the entire Session; now, therefore, be it

Resolved, That Members be allowed a sufficient increase in these accounts to cover actual expenditures for the balance of this Session, on application to the Committee on Contingent Expenses that additional amounts are necessary in the discharge of their duties as Members of the House of Representatives, and that these expenditures will be made only for these purposes, upon forms provided by the Committee on Contingent Expenses.

The resolution was read second time.

Mr. Fain moved that the resolution be referred to the Committee on Contingent Expenses.

Mr. Pope moved to table the motion to refer.

The motion to table prevailed.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—69

Alexander.	Kyle of Palo Pinto.
Bedford.	Lemens.
Bradley.	Leonard.
Burns.	Mackay.
Butler.	Mathis.
Caven.	McClain.
Celaya.	McCullough.
Chastain.	Mitcham.
Clayton.	Moffett.
Coombes.	Moore.
Daniel.	Morse.
Davidson.	Munson.
Duvall.	Palmer.
Dwyer.	Parkhouse.
Engelhard.	Patterson.
Few.	Pope.
Ford.	Ramsey.
Goodman.	Reader.
Griffith.	Reed of Dallas.
Haag.	Rogers
Hankamer.	of Ochiltree.
Harrison.	Ross.
Hartzog.	Scarborough.
Head.	Shannon.
Hill of Brazoria.	Stanfield.
Holekamp.	Steward.
Holland.	Sullivant.
Hoskins.	Tarwater.
Hughes.	Tillery.
Jackson.	Townsend.
James.	Turlington.
Jefferson.	Wagstaff.
Johnson	Walker.
of Anderson.	Weinert.
Jones of Shelby.	Wells.
Kyle of Hays.	

Nays—41

Adamson.	Laird.
Aikin.	Latham.
Alsup.	Lindsey.
Baker.	Lotief.
Barrett.	Magee.
Bourne.	Morrison.
Calvert.	Pavlica.
Cowley.	Puryear.
Dean.	Ratliff.
Devall.	Ray.
Dunagan.	Reed of Bowie.
Fain.	Rollins.
Fuchs.	Russell.
Glass.	Scott.
Golson.	Shults.
Graves.	Smith.
Greathouse.	Stinson.
Harris.	Thomas.
Hester.	Vaughan.
Hicks.	Winningham.
Jones of Runnels.	

Present—Not Voting

Stovall.

Absent

Anderson	Hunt.
of Bexar.	Hyder.
Anderson	Jones of Atascosa.
of Johnson.	Kayton.
Barron.	Long.
Beck.	McDougald.
Camp.	McGregor.
Canon.	McKee.
Cathey.	Nicholson.
Colson.	Renfro.
Crossley.	Riddle.
Dunlap.	Roberts.
Good.	Rogers of Hunt.
Harman.	Savage.
Hill of Webb.	Tennyson.
Hodges.	Van Zandt.
Holloway.	Wood.
Huddleston.	Young.

Absent—Excused

Fisher.	Merritt.
Johnson	Metcalf.
of Dimmit.	

RELATIVE TO EMPLOYES OF STATE

Mr. Winningham offered the following resolution:

H. C. R. No. 89, Relative to State employes.

Whereas, The Legislature has been advised by the mayors, city managers, and prominent citizens of cities and towns throughout Texas that there are more than one million Texas citizens in want and distress; and

Whereas, It has come to the attention of the Legislature that there are numbers of families who have more than one member of said family employed by the State of Texas in such a manner that each of said family receives an unconscionable amount of money from the public treasury in the form of salaries in the various departments of the State; and

Whereas, The House of Representatives and the Senate of Texas are of the opinion that governmental positions should be so distributed that not more than one member from any one family should receive pay from the public treasury; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That each head or employing director of each State department is hereby requested and directed to im-

mediately investigate the family status of each employe of the State of Texas and, if necessary, require affidavits from each employe that no other person of the same family, to wit: wife, husband, father, mother, brother, sister, son, or daughter, are employed in the same department or in any other department of the State Government; and be it further

Resolved, That upon the discovery of more than one member of the same family receiving pay as employes of the State of Texas, said members of said family be required to immediately choose and designate which of their number they prefer to remain upon the public pay roll and that the others be summarily dismissed.

WINNINGHAM,
CAMP,
SCOTT,
HUNT,
CANON.

The resolution was read second time.

Mr. Few offered the following amendment to the resolution:

Amend House concurrent resolution so that it does not include school teachers.

The amendment was adopted.

Mr. Clayton offered the following amendment to the resolution:

"Provided, however, that the foregoing shall not apply to anyone employed in any State school or educational institution."

Mr. Hankamer raised a point of order on further consideration of the resolution at this time, on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Question—Shall the amendment be adopted?

GRANTING J. B. DUNLAP PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 36, Granting J. B. Dunlap permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was then adopted.

GRANTING E. G. POWELL PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 37, Granting E. G. Powell permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

SENATE JOINT RESOLUTION NO. 30 ON THIRD READING

The Speaker laid before the House, on its third reading,

S. J. R. No. 30, Proposing an amendment to Article III, of the Constitution of the State of Texas, to be known as Section 51-a; providing that the Legislature may authorize by law the issuance and sale of bonds of the State of Texas, not to exceed the sum of \$20,000,000, etc.

The resolution was read third time.

Mr. Bedford moved a call of the House for the purpose of maintaining a quorum until 12 o'clock m., today.

The motion prevailed.

On motion of Mr. Laird, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

The roll of the House was called, and the following Members were present:

Mr. Speaker.	Caven.
Adamson.	Celaya.
Aikin.	Chastain.
Alexander.	Clayton.
Alsup.	Coombes.
Anderson	Cowley.
of Bexar.	Crossley.
Anderson	Dean.
of Johnson.	Devall.
Barrett.	Dunlap.
Barron.	Duvall.
Beck.	Dwyer.
Bedford.	Engelhard.
Bourne.	Fain.
Bradley.	Few.
Burns.	Ford.
Butler.	Fuchs.
Calvert.	Glass.
Camp.	Golson.
Canon.	Good.
Cathey.	Goodman.

Graves.	Moore.
Greathouse.	Morrison.
Griffith.	Morse.
Haag.	Munson.
Hankamer.	Nicholson.
Harman.	Palmer.
Harris.	Parkhouse.
Hartzog.	Patterson.
Head.	Pavlica.
Hester.	Pope.
Hicks.	Puryear.
Hill of Brazoria.	Ramsey.
Hill of Webb.	Ratliff.
Hodges.	Ray.
Holekamp.	Reed of Bowie.
Holland.	Reed of Dallas.
Holloway.	Renfro.
Hoskins.	Roberts.
Huddleston.	Rogers of Hunt.
Hughes.	Rogers of Ochiltree.
Hunt.	Rollins.
Hyder.	Ross.
Jackson.	Russell.
James.	Savage.
Jefferson.	Scarborough.
Johnson	Scott.
of Anderson.	Shannon.
Jones of Atascosa.	Shults.
Jones of Runnels.	Smith.
Jones of Shelby.	Stanfield.
Kayton.	Steward.
Kyle of Hays.	Stovall.
Kyle of Palo Pinto.	Sullivant.
Laird.	Tennyson.
Latham.	Thomas.
Lemens.	Tillery.
Lindsey.	Townsend.
Long.	Turlington.
Lotief.	Van Zandt.
Magee.	Vaughan.
Mackay.	Wagstaff.
McClain.	Walker.
McCullough.	Weinert.
McDougald.	Wells.
McGregor.	Winningham.
McKee.	Wood.
Mitcham.	Young.
Moffett.	

Absent

Baker.	Leonard.
Colson.	Mathis.
Daniel.	Reader.
Davidson.	Riddle.
Dunagan.	Stinson.
Harrison.	Tarwater.

Absent—Excused

Fisher.	Merritt.
Johnson	Metcalfe.
of Dimmit.	

The Speaker announced a quorum of the House present.

Mr. Morse moved the previous question on the passage of the resolution, and the main question was ordered.

Mr. Reed of Bowie moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider was lost.

Senate Joint Resolution No. 30 was then passed by the following vote:

Yeas—112

Adamson.	Kayton.
Alsup.	Kyle of Palo Pinto.
Anderson	Laird.
of Bexar.	Latham.
Baker.	Lemens.
Barrett.	Leonard.
Barron.	Lindsey.
Bedford.	Lotief.
Bourne.	Mackay.
Bradley.	Magee.
Burns.	Mathis.
Butler.	McClain.
Calvert.	McCullough.
Cathey.	McDougald.
Caven.	McGregor.
Celaya.	McKee.
Chastain.	Mitcham.
Clayton.	Moffett.
Colson.	Moore.
Davidson.	Morrison.
Devall.	Morse.
Dunlap.	Munson.
Dunagan.	Nicholson.
Duvall.	Palmer.
Dwyer.	Parkhouse.
Engelhard.	Patterson.
Few.	Pavlica.
Fuchs.	Pope.
Glass.	Puryear.
Golson.	Ramsey.
Good.	Ratliff.
Goodman.	Ray.
Griffith.	Reader.
Haag.	Reed of Dallas.
Hankamer.	Renfro.
Harman.	Roberts.
Harris.	Rogers of Hunt.
Harrison.	Rollins.
Hartzog.	Ross.
Head.	Russell.
Hester.	Savage.
Hill of Brazoria.	Shannon.
Hill of Webb.	Shults.
Hodges.	Smith.
Holekamp.	Steward.
Holland.	Stinson.
Holloway.	Sullivant.
Hoskins.	Thomas.
Huddleston.	Tillery.
Hughes.	Townsend.
Jackson.	Turlington.
Jefferson.	Wagstaff.
Johnson	Weinert.
of Anderson.	Wells.
Jones of Atascosa.	Winningham.
Jones of Runnels.	Wood.
Jones of Shelby.	Young.

Nays—31

Aikin. —	James. —
Alexander. —	Kyle of Hays.
Anderson	Long.
of Johnson.	Reed of Bowie. —
Beck. —	Riddle.
Camp.	Rogers
Canon. —	of Ochiltree.
Coombes.	Scarborough.
Cowley. —	Scott.
Crossley. —	Stanfield. —
Dean.	Stovall. —
Fain. —	Tarwater. —
Ford. —	Tennyson. —
Graves. —	Van Zandt.
Greathouse. —	Vaughan.
Hicks.	Walker.
Hyder. —	

Absent

Daniel.	Hunt.
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Absent—Excused

Fisher.	Merritt.
Johnson	Metcalf.
of Dimmit.	

REASONS FOR VOTES

I vote for Senate Joint Resolution No. 30, although I am opposed to State bond issues, because it has been represented that if this resolution is submitted the Federal Government will furnish funds now badly needed for temporary relief; and in the further hope that by the time this resolution is voted on by the people that times will be better and the amendment submitted will be defeated, being unnecessary.

GOOD.

We vote "yea" for the resolution to submit the \$20,000,000 bond issue for the needy because we believe it is necessary.

LINDSEY,
JONES of Runnels,
FEW,
PURYEAR.

I have heretofore consistently opposed this bond issue. But, inasmuch as this is simply a submission to the people, my Democratic principles prevailed.

Believing, as I do, in the government of the people by the people, I could not deny them the right to express their own views on this vital emergency issue.

YOUNG.

I am voting "yea" on the question of submitting to the vote of the people an amendment to the State Constitution authorizing issuance and sale of a \$20,000,000 bond issue of the State of Texas for the reason that Texas will receive within a short time \$6,000,000 worth of relief money for the distressed people in Texas from the Federal Government without waiting ratification of the amendment by the electorate of Texas. I shall oppose and vote against the ratification of the amendment August 26, 1933.

HARRISON.

Reason for voting "nay" on Senate Joint Resolution No. 30: My amendment, providing that the Legislature shall apply the revenue from the gasoline fund to payment of interest and for the redemption of any bond issued under the terms thereof was cut off by a motion for the previous question; this motion also cut off all pending amendments which prevented the House, in its wisdom, from considering the amendment; and, too, I doubt the wisdom of the State voting bonds on the taxpayers of the State of Texas.

REED of Bowie.

In finally voting "yea" on Senate Joint Resolution No. 30, we do so hesitatingly, and only after we have seriously considered the question before us, both from a position of the governmental principles involved and a sympathetic understanding of a suffering and starving humanity—the Christian spirit prevailing.

Being Democrats, we therefore finally agree to submit this question to the people for their approval or rejection.

DEVALL,
JOHNSON of Anderson,
PAVLICA.

I voted "yea" on final passage of Senate Joint Resolution No. 30, the \$20,000,000 bond issue, against my better judgment, as I fully believe that such aid by our government is simply the beginning of the end.

It is further my opinion, that it is nothing short of a dole. I would not have voted "yea" were it not for the fact that this measure will be left eventually to the people for their acquiescence or refusal.

REED of Dallas.

COMMUNICATION IN REGARD TO RELIEF FUNDS

On motion of Mr. Calvert, the following communication was ordered printed in the Journal:

Washington, D. C., May 12, 1933.

Hon. R. W. Calvert, House of Representatives, Austin, Texas.

It is for the Texas Legislature to determine what method it will adopt in providing relief funds. However, immediate action is necessary if further aid is to be gotten here.

Respectfully,

JESSE H. JONES, Chairman.

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 292, "An Act to amend Article 2832, Title 49, of the Revised Civil Statutes of 1925, as amended by Senate Bill No. 47, approved August 12, 1931, and repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

S. B. No. 440, "An Act to amend Articles 450, 451, and 539, of the Revised Civil Statutes of Texas; providing for the liquidation of solvent banks through the Banking Commissioner of Texas; providing for procedure for such liquidation; and declaring an emergency."

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee on House Bill No. 897. The following have been appointed on the part of the Senate: Senators Beck, Woodward, Pace, Poage, and Martin.

The Senate has passed

H. B. No. 262, A bill to be entitled "An Act amending Article 497, of the Penal Code of the State of Texas, by striking out the words 'after the

death of her mother,' immediately following the words 'her mother's husband'; and by striking out the words 'after the death of her daughter,' immediately following the words 'her daughter's husband'; and declaring an emergency."

H. B. No. 319, A bill to be entitled "An Act prohibiting the buyer of baled cotton deducting from the value thereof because of the weight of said bale as provided herein; and providing that no buyer shall be required to accept a bale of cotton weighing less than three hundred and fifty (350) pounds, and that any ginner ginning a bale of cotton weighing in excess of six hundred pounds may charge not more than one dollar (\$1) for said bale, in addition to his regular ginning charges; fixing a penalty for making deductions contrary to the provisions of this Act; and declaring an emergency." (With amendment.)

H. B. No. 790, A bill to be entitled "An Act to prohibit the hunting, taking, or killing of wild foxes, or having in possession the pelts thereof in Upshur County; providing a penalty; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 844, A bill to be entitled "An Act prohibiting certain practices in the production of oil and gas within this State; defining the term 'person,' 'governmental agent,' 'governmental agency,' and 'oil property'; providing for the accurate measurement and accurate recording daily by all producers of oil and gas of the amount of daily production before relinquishing possession or control thereof by the producer; etc.; and declaring an emergency." (With amendments.)

Respectfully,
BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 844 WITH SENATE AMENDMENTS

Mr. Latham called up, for consideration at this time, with Senate amendments, for consideration of the amendments,

H. B. No. 844, A bill to be entitled "An Act prohibiting certain practices in the production of oil and gas within this State; defining the term 'person,' 'governmental agent,' 'govern-

mental agency,' and 'oil property'; providing for the accurate measurement and accurate recording daily by all producers of oil and gas of the amount of daily production before relinquishing possession or control thereof by the producer; etc.; and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Latham moved that the House concur in the Senate amendments to House Bill No. 844.

The motion prevailed by the following vote:

Yeas—122

Aikin.	Holekamp.
Alexander.	Holland.
Alsup.	Holloway.
Anderson	Hoskins.
of Bexar.	Huddleston.
Anderson	Hyder.
of Johnson.	Jackson.
Baker.	James.
Barron.	Jefferson.
Beck.	Johnson
Bedford.	of Anderson.
Bourne.	Jones of Runnels.
Burns.	Jones of Shelby.
Butler.	Kyle of Hays.
Calvert.	Kyle of Palo Pinto.
Camp.	Laird.
Canon.	Latham.
Caven.	Lemens.
Celaya.	Leonard.
Chastain.	Lindsey.
Clayton.	Long.
Colson.	Lotief.
Coombes.	Mackay.
Crossley.	Magee.
Davidson.	Mathis.
Dean.	McClain.
Devall.	McCullough.
Dunagan.	McDougald.
Engelhard.	McKee.
Fain.	Mitcham.
Few.	Moffett.
Ford.	Moore.
Fuchs.	Morrison.
Glass.	Morse.
Golson.	Munson.
Good.	Nicholson.
Goodman.	Palmer.
Graves.	Parkhouse.
Griffith.	Patterson.
Haag.	Pavlica.
Hankamer.	Pope.
Harman.	Puryear.
Harris.	Ramsey.
Hartzog.	Ratliff.
Head.	Reader.
Hester.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill of Brazoria.	Renfro.
Hodges.	Riddle.

Roberts.
Rogers
of Ochiltree.
Rollins.
Ross.
Russell.
Savage.
Scott.
Shults.
Smith.
Stanfield.
Steward.
Stinson.
Stovall.

Sullivant.
Tarwater.
Tennyson.
Thomas.
Townsend.
Turlington.
Van Zandt.
Vaughan.
Wagstaff.
Walker.
Weinert.
Winningham.
Wood.
Young.

Huddleston.
Hyder.
Jackson.
James.
Jefferson.
Johnson
of Anderson.
Jones of Shelby.
Kyle of Palo Pinto.
Laird.
Long.
Lotief.
Mackay.
Mathis.
McClain.
McCullough.
McDougald.
McKee.
Moore.
Morse.
Munson.
Patterson.
Pavlica.
Pope.
Puryear.

Ramsey.
Ray.
Reader.
Reed of Dallas.
Renfro.
Roberts.
Rogers
of Ochiltree.
Ross.
Russell.
Scarborough.
Shults.
Smith.
Stanfield.
Steward.
Stinson.
Sullivant.
Tennyson.
Tillery.
Wagstaff.
Walker.
Weinert.
Wells.
Young.

Nays—1

Hunt.

Absent

Adamson.
Barrett.
Bradley.
Cathey.
Cowley.
Daniel.
Dunlap.
Duvall.
Dwyer.
Greathouse.
Harrison.

Hill of Webb.
Hughes.
Jones of Atascosa.
Kayton.
McGregor.
Ray.
Rogers of Hunt.
Scarborough.
Shannon.
Tillery.
Wells.

Absent—Excused

Fisher.
Johnson
of Dimmit.

Merritt.
Metcalf.

MOTION TO INTRODUCE A BILL

Mr. Pope moved to introduce a bill, at this time, and have it placed on first reading.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—88

Alexander.
Alsup.
Anderson
of Bexar.
Baker.
Bedford.
Bourne.
Bradley.
Butler.
Calvert.
Cathey.
Caven.
Celaya.
Colson.
Cowley.
Crossley.
Daniel.
Davidson.
Dean.
Devall.
Dunlap.

Dunagan.
Duvall.
Dwyer.
Engelhard.
Fain.
Ford.
Fuchs.
Glass.
Good.
Greathouse.
Griffith.
Haag.
Hankamer.
Harris.
Harrison.
Hartzog.
Hester.
Hicks.
Hill of Brazoria.
Holekamp.
Hoskins.

Aikin.
Anderson
of Johnson.
Barrett.
Barron.
Beck.
Camp.
Canon.
Chastain.
Coombes.
Few.
Golson.
Goodman.
Graves.
Head.
Hodges.
Holland.
Jones of Runnels.
Kyle of Hays.
Latham.
Lemens.
Leonard.
Lindsey.

Nays—44

Magee.
Moffett.
Morrison.
Nicholson.
Palmer.
Parkhouse.
Ratliff.
Reed of Bowie.
Riddle.
Rogers of Hunt.
Rollins.
Savage.
Scott.
Stovall.
Tarwater.
Thomas.
Townsend.
Turlington.
Van Zandt.
Vaughan.
Winningham.
Wood.

Absent

Adamson.
Burns.
Clayton.
Harman.
Hill of Webb.
Holloway.
Hughes.

Hunt.
Jones of Atascosa.
Kayton.
McGregor.
Mitcham.
Shannon.

Absent—Excused

Fisher.
Johnson
of Dimmit.

Merritt.
Metcalf.

HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the

House, read first time, and referred to the appropriate committee, as follows:

By Mr. Scarborough:

H. B. No. 938, A bill to be entitled "An Act amending Article 1456, of the Penal Code of the State of Texas, 1925, so as not to exempt Jasper and Newton Counties from the provisions of certain articles of the Penal Code; and declaring an emergency." (Relative to hide inspection, etc.)

Referred to Committee on Live Stock and Stock Raising.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 558, A bill to be entitled "An Act appropriating the sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary, payable out of the General Revenue Fund, to pay the mileage and per diem of Members, and the salaries and per diem of officers and employees of the Forty-third Legislature of the State of Texas; and declaring an emergency."

S. B. No. 557, A bill to be entitled "An Act making an appropriation of twenty-five thousand dollars (\$25,000) to pay the contingent expenses of the Regular Session of the Forty-third Legislature."

H. B. No. 890, A bill to be entitled "An Act to authorize and provide a method for the Commissioner of the General Land Office to lease to the Alejandro G. Trevino Post No. 390, of the American Legion, of Willacy County, Texas, certain submerged lands under the waters of Red Fish Bay, in Willacy County, Texas; etc.; and declaring an emergency."

H. B. No. 348, A bill to be entitled "An Act to amend Article 1738, Revised Civil Statutes of Texas, 1925 (as amended by the Acts of 1927, Fortieth Legislature, First Called Session, page 148, Chapter 51, Section 1), so as to provide that the equalization of the business of the Courts of Civil Appeals shall be made by the Supreme Court as of the close of

business in said Courts of Civil Appeals, on December 31 and May 31 of each year; and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

BILL LAID ON THE TABLE SUBJECT TO CALL

On motion of Mr. Mackay, House Bill No. 421 was laid on the table subject to call.

RECESS

On motion of Mr. Patterson, the House, at 12:05 o'clock p. m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 847 ON SECOND READING

Mr. Kayton moved to take up, for consideration at this time,

H. B. No. 847, A bill to be entitled "An Act making an appropriation of the sum of five thousand, seventy-four dollars and sixteen cents (\$5,074.16), or so much thereof as may be necessary, out of the County and Road District Highway Fund of the State of Texas, to pay the expenses incurred in the administration of Chapter 13, Acts of the Third Called Session of the Forty-second Legislature; and declaring an emergency."

The motion prevailed;

The bill having heretofore been laid on the table subject to call, and due notice having been given that same would be called up today.

The Speaker laid the bill before the House, and it was read second time.

Mr. Kayton offered the following amendment to the bill:

Amend House Bill No. 847 by inserting between lines 27 and 28, the following:

"Section 2-a. The sum of twelve thousand dollars (\$12,000), or so much thereof as may be necessary, is hereby authorized to be used, and is re-appropriated for use until September 1, 1933, out of any unused balance of any appropriation made by the Forty-second Legislature out of the State Highway Fund for the construction of the State Highway Building, by the

State Board of Control, in purchasing and installing the necessary filing and record cases, equipment, and furnishings for the record bureau in the basement of said building, and for contingencies and necessary employes in assorting, transferring, indexing and filing the valuable State records and papers heretofore provided to be placed in the basement of said building. The State Highway Commission shall approve and sign vouchers for such expenditures, as and when approved and submitted by the State Board of Control."

HARMAN,
KAYTON.

The amendment was adopted.

Mr. Kayton offered the following amendments to the bill:

(1)

Amend House Bill No. 847 by inserting, immediately following the word "State," in line 34, the following: "and the further fact that equipment, fixtures, and filing cases to be used in the basement of the new State Highway Building, together with the immediate preparation of assorting, indexing, and filing of the valuable records and other State documents to be placed therein, should be installed and these valuable records be given safe-keeping,"

(2)

Amend House Bill No. 847 by inserting, in the caption thereof immediately following the word "Legislature," in line 12, the following: "and making an appropriation out of an unused balance, heretofore appropriated for the construction of a State Highway Building out of the State Highway Fund for use by State Board of Control until September 1, 1933, in installing equipment and files in basement of State Highway Building and in transferring, filing, and indexing valuable papers and records to be placed in said basement,"

HARMAN,
KAYTON.

The amendments were severally adopted.

House Bill No. 847 was then passed to engrossment.

HOUSE BILL NO. 847 ON THIRD READING

Mr. Kayton moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, and that House Bill No. 847 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Mr. Speaker.	Jones of Runnels.
Adamson.	Jones of Shelby.
Aikin.	Kayton.
Alexander.	Kyle of Hays.
Anderson	Kyle of Palo Pinto.
of Bexar.	Latham.
Anderson	Lemens.
of Johnson.	Leonard.
Baker.	Lindsey.
Barrett.	Lotief.
Barron.	Magee.
Bedford.	Mackay.
Bourne.	McCullough.
Bradley.	McDougald.
Burns.	Mitcham.
Butler.	Moffett.
Camp.	Morrison.
Canon.	Munson.
Caven.	Nicholson.
Celaya.	Palmer.
Chastain.	Parkhouse.
Clayton.	Pavlica.
Coombes.	Puryear.
Daniel.	Ratliff.
Davidson.	Ray.
Dean.	Reed of Dallas.
Devall.	Renfro.
Engelhard.	Riddle.
Fain.	Roberts.
Few.	Rogers
Ford.	of Ochiltree.
Fuchs.	Rollins.
Glass.	Ross.
Good.	Russell.
Goodman.	Savage.
Graves.	Scarborough.
Griffith.	Smith.
Haag.	Steward.
Hankamer.	Stinson.
Harris.	Stovall.
Hartzog.	Tarwater.
Head.	Thomas.
Hicks.	Tillery.
Hodges.	Townsend.
Holekamp.	Turlington.
Hoskins.	Van Zandt.
Huddleston.	Wagstaff.
Hughes.	Walker.
Hunt.	Weinert.
Jackson.	Winningham.
James.	Wood.
Jefferson.	Young.
Jones of Atascosa.	

Nays—3

Greathouse.	Vaughan.
Reed of Bowie.	

Absent

Alsup.	Johnson
Beck.	of Anderson.
Calvert.	Laird.
Cathey.	Long.
Colson.	Mathis.
Cowley.	McClain.
Crossley.	McGregor.
Dunlap.	McKee.
Dunagan.	Moore.
Duvall.	Morse.
Dwyer.	Patterson.
Golson.	Pope.
Harman.	Ramsey.
Harrison.	Reader.
Hester.	Scott.
Hill of Brazoria.	Shannon.
Hill of Webb.	Shults.
Holland.	Stanfield.
Holloway.	Sullivant.
Hyder.	Tennyson.
	Wells.

Absent—Excused

Fisher.	Merritt.
Johnson	Metcalf.
of Dimmit.	Rogers of Hunt.

The Speaker then laid House Bill No. 847 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—101

Adamson.	Fuchs.
Aikin.	Glass.
Alexander.	Good.
Alsup.	Goodman.
Anderson	Graves.
of Bexar.	Haag.
Anderson	Hankamer.
of Johnson.	Harris.
Baker.	Harrison.
Barrett.	Hartzog.
Barron.	Head.
Bedford.	Hicks.
Bourne.	Holekamp.
Bradley.	Hoskins.
Burns.	Huddleston.
Butler.	Hughes.
Camp.	Hunt.
Canon.	Jackson.
Caven.	James.
Celaya.	Jefferson.
Clayton.	Jones of Atascosa.
Crossley.	Jones of Runnels.
Daniel.	Jones of Shelby.
Davidson.	Kayton.
Dunlap.	Kyle of Hays.
Engelhard.	Kyle of Palo Pinto.
Fain.	Laird.
Few.	Latham.
Ford.	Lemens.

Leonard.	Renfro.
Lindsey.	Riddle.
Lotief.	Roberts.
Magee.	Rogers
Mackay.	of Ochiltree.
McCullough.	Rollins.
McDougald.	Ross.
McKee.	Russell.
Mitcham.	Savage.
Moffett.	Scarborough.
Moore.	Steward.
Morrison.	Stinson.
Morse.	Stovall.
Munson.	Tarwater.
Nicholson.	Thomas.
Palmer.	Townsend.
Parkhouse.	Turlington.
Pavlica.	Van Zandt.
Puryear.	Wagstaff.
Ratliff.	Walker.
Ray.	Weinert.
Reader.	Wood.
Reed of Dallas.	Young.

Nays—5

Dean.	Reed of Bowie.
Devall.	Vaughan.
Greathouse.	

Absent

Beck.	Johnson
Calvert.	of Anderson.
Cathey.	Long.
Chastain.	Mathis.
Colson.	McClain.
Coombes.	McGregor.
Cowley.	Patterson.
Dunagan.	Pope.
Duvall.	Ramsey.
Dwyer.	Scott.
Golson.	Shannon.
Griffith.	Shults.
Harman.	Smith.
Hester.	Stanfield.
Hill of Brazoria.	Sullivant.
Hill of Webb.	Tennyson.
Hodges.	Tillery.
Holland.	Wells.
Holloway.	Winningham.
Hyder.	

Absent—Excused

Fisher.	Merritt.
Johnson	Metcalf.
of Dimmit.	Rogers of Hunt.

HOUSE BILL NO. 337 ON SECOND READING

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 337, A bill to be entitled "An Act declaring monopolies contrary to public policy of this State; making it unlawful for those engaged

in the public utility business to prevent or hinder legitimate competition, or to fix discriminatory rates; making the Act applicable to subsidiary and associated corporations; providing for prima facie evidence of violation; providing for quo warranto proceedings and forfeiture of charter; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Question—Shall the bill pass to engrossment?

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 154, A bill to be entitled "An Act amending Article 7071, Title 122, Chapter 2, Revised Civil Statutes of 1925, and providing for the levying of an occupation tax on petroleum oil, mineral oil, or other oils that are taken from the earth, providing the date of payment of same, and providing manner and time of reporting same to the Treasury of this State, and providing for inspection of records kept by persons engaged in such business; etc.; and declaring an emergency." (With amendments.)

Respectfully,
BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 154 WITH SENATE AMENDMENTS

Mr. Daniel called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 154, A bill to be entitled "An Act amending Article 7071, Title 122, Chapter 2, Revised Civil Statutes of 1925, and providing for the levying of an occupation tax on petroleum oil, mineral oil, or other oils, that are taken from the earth; providing the date of payment of same, and providing the manner and time of reporting same to the Treasury of this State, and providing for inspection of records kept by persons engaged in such business; etc.; and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Daniel moved that the House concur in the Senate amendments.

Mr. Reed of Dallas moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences.

Mr. Vaughan moved to table the motion by Mr. Reed of Dallas.

The motion to table prevailed.

Mr. Long moved that the Senate amendments be printed in the Journal, and that further consideration of the amendments and the bill be postponed at this time.

On motion of Mr. Daniel, the motion of Mr. Long was tabled.

Question then recurring on the motion by Mr. Daniel, that the House concur in the Senate amendments, it prevailed by the following vote:

Yeas—94

Adamson.	Hester.
Aikin.	Hicks.
Alexander.	Hill of Brazoria.
Alsup.	Hodges.
Anderson	Holland.
of Johnson.	Hoskins.
Baker.	Huddleston.
Barrett.	Hughes.
Barron.	Hunt.
Beck.	Hyder.
Bedford.	James.
Bourne.	Jefferson.
Burns.	Jones of Atascosa.
Butler.	Jones of Runnels.
Calvert.	Jones of Shelby.
Camp.	Kyle of Hays.
Canon.	Kyle of Palo Pinto.
Caven.	Laird.
Clayton.	Latham.
Crossley.	Lemens.
Daniel.	Leonard.
Davidson.	Lindsey.
Dean.	Lotief.
Devall.	Mackay.
Dunagan.	Magee.
Engelhard.	Mitcham.
Fain.	Moffett.
Few.	Morrison.
Fuchs.	Munson.
Glass.	Palmer.
Good.	Puryear.
Goodman.	Ratliff.
Graves.	Reader.
Greathouse.	Reed of Bowie.
Griffith.	Riddle.
Harris.	Roberts.
Hartzog.	Rogers
Head.	of Ochiltree.

Rollins.	Thomas.
Russell.	Tillery.
Savage.	Townsend.
Scarborough.	Turlington.
Scott.	Van Zandt.
Smith.	Vaughan.
Stanfield.	Wagstaff.
Stinson.	Weinert.
Stovall.	Winningham.
Tarwater.	Wood.

Nays—28

Anderson	Morse.
of Bexar.	Nicholson.
Bradley.	Parkhouse.
Chastain.	Patterson.
Coombes.	Pavlica.
Ford.	Pope.
Haag.	Reed of Dallas.
Hankamer.	Renfro.
Harrison.	Ross.
Holekamp.	Steward.
Jackson.	Tennyson.
Long.	Walker.
Mathis.	Wells.
McDougald.	Young.
Moore.	

Absent

Cathey.	Johnson
Celaya.	of Anderson.
Colson.	Kayton.
Cowley.	McClain.
Dunlap.	McCullough.
Duvall.	McGregor.
Dwyer.	McKee.
Golson.	Ramsey.
Harman.	Ray.
Hill of Webb.	Shannon.
Holloway.	Shults.
	Sullivant.

Absent—Excused

Fisher.	Merritt.
Johnson	Metcalf.
of Dimmit.	Rogers of Hunt.

Mr. Daniel moved to reconsider the vote by which the House concurred in the Senate amendments, and asked to have the motion to reconsider spread on the Journal.

HOUSE BILL NO. 319 WITH SENATE AMENDMENTS

Mr. Canon called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 319, A bill to be entitled "An Act prohibiting the buyer of baled cotton deducting from the value thereof because of lightness of weight, and fixing a penalty thereof."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Canon, the House concurred in the Senate amendments by the following vote:

Yeas—109

Adamson.	Kayton.
Aikin.	Kyle of Palo Pinto.
Alexander.	Latham.
Alsup.	Lemens.
Anderson	Leonard.
of Bexar.	Lindsey.
Anderson	Long.
of Johnson.	Lotief.
Baker.	Mackay.
Barrett.	Magee.
Barron.	McDougald.
Beck.	McKee.
Bedford.	Mitcham.
Bourne.	Moffett.
Bradley.	Moore.
Burns.	Morrison.
Calvert.	Morse.
Camp.	Munson.
Canon.	Nicholson.
Caven.	Palmer.
Clayton.	Parkhouse.
Coombes.	Patterson.
Crossley.	Pavlica.
Dean.	Pope.
Devall.	Purveyer.
Dunagan.	Ratliff.
Fain.	Reed of Bowie.
Few.	Reed of Dallas.
Ford.	Renfro.
Fuchs.	Roberts.
Glass.	Rogers
Goodman.	of Ochiltree.
Graves.	Rollins.
Greathouse.	Ross.
Griffith.	Russell.
Haag.	Savage.
Hankamer.	Scarborough.
Harris.	Scott.
Harrison.	Smith.
Head.	Stanfield.
Hester.	Steward.
Hill of Brazoria.	Stinson.
Hodges.	Stovall.
Holekamp.	Tarwater.
Holland.	Tennyson.
Hoskins.	Thomas.
Huddleston.	Tillery.
Hughes.	Turlington.
Hyder.	Van Zandt.
Jackson.	Vaughan.
James.	Wagstaff.
Jefferson.	Walker.
Johnson	Wells.
of Anderson.	Winningham.
Jones of Atascosa.	Wood.
Jones of Runnels.	Young.
Jones of Shelby.	

Nays—1

Hicks.

Present—Not Voting

Townsend.

Absent

Butler.	Holloway.
Cathey.	Hunt.
Celaya.	Kyle of Hays.
Chastain.	Laird.
Colson.	Mathis.
Cowley.	McClain.
Daniel.	McCullough.
Davidson.	McGregor.
Dunlap.	Ramsey.
Duvall.	Ray.
Dwyer.	Reader.
Engelhard.	Riddle.
Golson.	Shannon.
Good.	Shults.
Harman.	Sullivant.
Hartzog.	Weinert.
Hill of Webb.	

Absent—Excused

Fisher.	Merritt.
Johnson	Metcalf.
of Dimmit.	Rogers of Hunt.

**CONFERENCE COMMITTEE RE-
PORT ON HOUSE BILL
NO. 218**

Mr. Wagstaff submitted the following conference committee report on House Bill No. 218:

Committee Room,
Austin, Texas, May 8, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the House and the Senate on

H. B. No. 218, A bill to be entitled "An Act requiring the Land Commissioner to ascertain and determine the amount of bonus and rental money due the State, and by whom due, under the operation, terms, and conditions of Chapter 81, printed Acts of the Second Called Session of the Thirty-sixth Legislature, etc.,"

Beg leave to report that we recommend the adoption of this report and the final passage by both Houses of the bill hereto attached:

"H. B. No. 218,

A BILL

To Be Entitled

An Act authorizing and directing the Commissioner of the General Land Office to ascertain the amount of bonus and rental money due the State as result of the execution of oil and gas leases by owners of the soil as agents of the State under the provisions of the Relinquishment Act; to determine who owes money to the State under the provisions of said Act; and providing that the debtors when so ascertained shall pay said debt to the State in cash; providing if the debtor makes affidavit of his inability to pay in cash he may settle said obligation by paying one-twentieth in cash and executing a note to the State for the balance due in twenty equal annual payments with interest at the rate of 4 per cent per annum, said note being payable to the State; providing that if it be held that the Legislature may not grant an extension of time to those unable to pay in cash without granting the same extension to those able to pay, that the extension would be granted to all; providing that no lien held by the State shall be released or no liability altered or changed; providing that all notes must be executed on or before October 1, 1934; providing that no suit shall be instituted to collect bonuses and rentals due under the Relinquishment Act if the debtor executes the note on or before October 1, 1934; providing that all suits must be brought within five years unless it is alleged that the affidavit of inability to pay is false or fraudulent; providing the Act shall not apply to bonuses and rentals on any land producing oil or gas or that has produced oil or gas, or that may be producing oil or gas in commercial quantities on the effective date of this Act or to indebtedness due the State accruing subsequent to the effective date of the Act for debts due for oil or gas or for bonuses and rentals where the amount has not been paid to the landowner but held in escrow or suspense; providing that the provisions of this Act shall not apply to obligations of lessees against whom suit was pending on April 1, 1933; providing that if any portion of the

Act be held unconstitutional, same shall not affect remaining portions; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. It shall be the duty of the Commissioner of the General Land Office to ascertain and determine the amounts of bonus and rental money due the State, and by whom due, as a result of the execution of oil and gas leases by owners of the soil as agents of the State under the provisions of the Relinquishment Act. The term "Relinquishment Act," as used in this Act, refers to and includes Chapter 81, printed Acts of the Second Called Session of the Thirty-sixth Legislature, and the amendment thereof enacted by the First Called Session of the Thirty-seventh Legislature.

Sec. 2. When the Land Commissioner has ascertained and determined the amounts due the State, and by whom due, as in Section 1 of this Act provided, the debtor shall pay said debt in cash; or if unable to pay said debt in cash, the debtor shall file with the Land Commissioner an affidavit to the effect that such debtor is unable to pay such debt in cash, and the debtor, upon the filing of such affidavit, shall pay one-twentieth (1/20) of the amount in cash, and make and execute an obligation to the State for the balance due, which obligation shall provide for the payment of such balance in twenty (20) equal annual payments, the first of which shall be due and payable one (1) year after the date of such obligation and a similar payment each year thereafter until the twenty deferred annual payments have been made. The obligation shall be in the form of a promissory note and shall bear interest at the rate of four per cent (4%) per annum, and such interest shall be payable annually. Principal and interest shall be payable at Austin, Travis County, Texas. All past due principal and interest shall bear interest at the rate of five per cent (5%) per annum. Failure to pay any installment of principal or interest shall, at the option of the State, to be exercised by the Attorney General, mature the whole amount of said indebtedness.

Sec. 3. If the courts should hold that the Legislature may not grant an extension of time in which to pay said debts to those unable to pay in

cash without granting the same extension upon like terms and conditions to those who are able to pay, then and in that event, it is the intent and purpose of the Legislature, in enacting this law, that all debts due the State for bonus and rental money arising from the execution of any oil and gas lease under the provisions of the Relinquishment Act may be paid by the debtor executing the obligation as provided in Section 2, of this Act.

Sec. 4. Nothing in this Act shall ever be construed as releasing any lien that the State may now have to secure the indebtedness due the State after the same has been ascertained and determined and the obligation executed, nor shall the liability of any party be changed.

Sec. 5. No debtor, as the term debtor is used in this Act, may pay his debt to the State by the execution of the promissory note unless he does so on or before October 1, 1934.

Sec. 6. No suit may be instituted or maintained by the State for the collection of any debt due the State for bonus and rental money because of the execution of any oil and gas lease under the provisions of the Relinquishment Act until the Land Commissioner has ascertained the amount of such debt and the debtor has had an opportunity to make affidavit of inability to pay, as provided in Section 2, of this Act, or, if, after having made such affidavit such debtor has failed to execute the obligation as provided in Section 2, of this Act, on or before October 1, 1934; and providing further, that no suit may be instituted or maintained for the collection of any such a debt found by the Land Commissioner to be due the State, or for any debt or alleged debt due the State for bonus and rental money under the Relinquishment Act, unless such suit be instituted within five (5) years from and after the date this Act becomes effective, but this limitation shall not apply to the obligation made to the State as provided in Section 2, of this Act, or to any suit for the collection of such debt where the State, in its petition, alleges that the affidavit of inability to pay made by the debtor is false or fraudulent.

Sec. 7. The terms and provisions of this Act shall not apply to any

bonus money or any rental money derived from a lease on any section or part of a section of land producing oil or gas or that has heretofore produced oil and/or gas, or producing oil and gas in commercial or paying quantities at the effective date of this Act, or to any indebtedness due the State which may accrue subsequent to the date this Act becomes effective, or to any debt due the State for oil and gas produced, or to any indebtedness due the State for bonus or rental where such amount has not been paid to the landowner, but has been placed in escrow or held in suspense by the lessee.

Sec. 8. If any section, clause, provision, or sentence in this Act contained should ever be held to be unconstitutional, such holding shall not affect the remaining portions of this Act, it being the intent of the Legislature that effect shall be given to so much of this Act as may be valid, even if a portion of this Act shall be held invalid.

Sec. 9. The provisions of this Act shall not apply to the obligations of any lessee for the collection of which suit was pending in any court of the State on April 1, 1933.

Sec. 10. The fact that the State does not know the amounts due to it from transactions arising under the so-called Relinquishment Act, nor by whom such indebtedness is due, and the further fact that such indebtedness was inadvertently incurred, and because of the present economic stress and strain the debtors should be allowed time in which to pay this indebtedness, constitutes an emergency and an imperative public necessity that the constitutional rule, that bills shall be read on three several days in each House, shall be suspended, and it is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

REGAN,
SMALL,
COUSINS,
COLLIE,
WOODRUFF,

On the part of the Senate;

JONES of Atascosa,
WAGSTAFF,
McGREGOR,

On the part of the House.

Mr. Wagstaff moved that the report be adopted.

Mr. Calvert and Mrs. Hughes made the following substitute motion:

"We move that the House do not adopt the conference report to House Bill No. 218, but that it ask for the appointment of a new conference committee, and that said committee be instructed to include in the bill the House amendment providing that the lessees should be excluded from the bill granting an extension of time for the payment of indebtedness."

CALVERT,
HUGHES.

Mr. Van Zandt moved the previous question on the pending motions, and the main question was ordered.

Question first recurring on the substitute motion by Mrs. Hughes and Mr. Calvert, it was adopted by the following vote:

Yeas—64

Adamson.	Hoskins.
Alsup.	Huddleston.
Anderson	Hughes.
of Johnson.	Hunt.
Barrett.	James.
Barron.	Johnson
Beck.	of Anderson.
Bradley.	Kyle of Hays.
Burns.	Lemens.
Calvert.	Leonard.
Camp.	Lotief.
Canon.	Magee.
Caven.	McClain.
Coombes.	Munson.
Crossley.	Parkhouse.
Devall.	Puryear.
Engelhard.	Ramsey.
Fain.	Ray.
Few.	Reed of Bowie.
Glass.	Reed of Dallas.
Good.	Riddle.
Goodman.	Rollins.
Graves.	Ross.
Harman.	Russell.
Harris.	Stinson.
Harrison.	Stovall.
Hartzog.	Sullivant.
Head.	Tillery.
Hester.	Van Zandt.
Hicks.	Vaughan.
Hill of Brazoria.	Wells.
Hodges.	Winningham.
Holland.	Wood.

Nays—50

Aikin.	Anderson
Alexander.	of Bexar.

Baker.	McGregor.
Bourne.	McKee.
Cathey.	Moffett.
Chastain.	Moore.
Clayton.	Morse.
Colson.	Nicholson.
Dean.	Palmer.
Dunagan.	Patterson.
Ford.	Pavlica.
Greathouse.	Pope.
Griffith.	Ratliff.
Haag.	Renfro.
Hankamer.	Rogers
Holekamp.	of Ochiltree.
Jackson.	Savage.
Jones of Atascosa.	Scott.
Jones of Runnels.	Stanfield.
Kyle of Palo Pinto.	Steward.
Latham.	Tarwater.
Lindsey.	Tennyson.
Long.	Thomas.
Mackay.	Townsend.
McCullough.	Wagstaff.
McDougald.	Walker.

Present—Not Voting

Mitcham.	Turlington.
Smith.	

Absent

Bedford.	Jefferson.
Butler.	Jones of Shelby.
Celaya.	Kayton.
Cowley.	Laird.
Daniel.	Mathis.
Davidson.	Morrison.
Dunlap.	Reader.
Duval.	Roberts.
Dwyer.	Scarborough.
Fuchs.	Shannon.
Golson.	Shults.
Hill of Webb.	Weinert.
Holloway.	Young.
Hyder.	

Absent—Excused

Fisher.	Merritt.
Johnson	Metcalf.
of Dimmit.	Rogers of Hunt.

PAIRED

Mr. Mitcham (present), who would vote "yea," with Mr. Metcalfe (absent), who would vote "nay."

Question then recurring on the motion as substituted, it was adopted by the following vote:

Yeas—66

Adamson.	Beck.
Anderson	Bradley.
of Johnson.	Burns.
Barrett.	Calvert.
Barron.	Camp.

Canon.	Johnson
Caven.	of Anderson.
Crossley.	Kyle of Hays.
Davidson.	Lemens.
Devall.	Leonard.
Engelhard.	Lotief.
Fain.	Magee.
Few.	McClain.
Fuchs.	Munson.
Glass.	Palmer.
Good.	Parkhouse.
Goodman.	Pope.
Graves.	Purveyer.
Harman.	Ramsey.
Harris.	Ray.
Harrison.	Reed of Bowie.
Hartzog.	Reed of Dallas.
Head.	Rollins.
Hester.	Ross.
Hicks.	Russell.
Hill of Brazoria.	Scarborough.
Hodges.	Stinson.
Holland.	Stovall.
Hoskins.	Tillery.
Huddleston.	Van Zandt.
Hughes.	Vaughan.
Hunt.	Wells.
James.	Winningham.
Jefferson.	Young.

Nays—52

Aikin.	McCullough.
Alexander.	McDougald.
Alsup.	McGregor.
Baker.	McKee.
Bourne.	Moffett.
Cathey.	Moore.
Celaya.	Morse.
Chastain.	Nicholson.
Clayton.	Patterson.
Colson.	Pavlica.
Dean.	Ratliff.
Dunagan.	Reader.
Ford.	Renfro.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Haag.	Savage.
Hankamer.	Scott.
Holekamp.	Stanfield.
Hyder.	Steward.
Jackson.	Tarwater.
Jones of Atascosa.	Tennyson.
Jones of Runnels.	Thomas.
Kyle of Palo Pinto.	Townsend.
Latham.	Wagstaff.
Lindsey.	Walker.
Long.	Weinert.
Mackay.	

Present—Not Voting

Mitcham.	Turlington.
Smith.	

Absent

Anderson	Bedford.
of Bexar.	Butler.

Coombes.	Kayton.
Cowley.	Laird.
Daniel.	Mathis.
Dunlap.	Morrison.
Duvall.	Riddle.
Dwyer.	Roberts.
Golson.	Shannon.
Hill of Webb.	Shults.
Holloway.	Sullivant.
Jones of Shelby.	Wood.

Absent—Excused

Fisher.	Merritt.
Johnson	Metcalfe.
of Dimmit.	Rogers of Hunt.

PAIRED

Mr. Mitcham (present), who would vote "yea," with Mr. Metcalfe (absent), who would vote "nay."

Mr. Pope moved to reconsider the vote by which the motion by Mrs. Hughes and Mr. Calvert was adopted.

Mr. Moore moved the previous question on the motion to reconsider, and the main question was ordered.

Question recurring on the motion to reconsider, it was lost by the following vote:

Yeas—57

Aikin.	Mackay.
Alexander.	McCullough.
Alsup.	McGregor.
Anderson	McKee.
of Bexar.	Moffett.
Baker.	Moore.
Bourne.	Nicholson.
Chastain.	Patterson.
Clayton.	Pavlica.
Coombes.	Pope.
Dean.	Ratliff.
Dunagan.	Reed of Dallas.
Ford.	Renfro.
Fuchs.	Rogers
Greathouse.	of Ochiltree.
Griffith.	Savage.
Haag.	Scott.
Hankamer.	Stanfield.
Holekamp.	Steward.
Hyder.	Tarwater.
Jackson.	Tennyson.
Jones of Atascosa.	Thomas.
Jones of Runnels.	Tillery.
Jones of Shelby.	Townsend.
Kayton.	Wagstaff.
Laird.	Walker.
Latham.	Weinert.
Lindsey.	Wood.
Long.	Young.
Lotief.	

Nays—63

Adamson.	Hughes.
Anderson	Hunt.
of Johnson.	James.
Barrett.	Jefferson.
Barron.	Johnson
Beck.	of Anderson.
Bradley.	Kyle of Hays.
Burns.	Leonard.
Calvert.	Magee.
Camp.	Mathis.
Canon.	McClain.
Cathey.	Morrison.
Caven.	Morse.
Celaya.	Munson.
Crossley.	Puryear.
Daniel.	Ramsey.
Engelhard.	Ray.
Fain.	Reed of Bowie.
Few.	Riddle.
Good.	Rollins.
Goodman.	Ross.
Graves.	Russell.
Harman.	Scarborough.
Harris.	Smith.
Hartzog.	Stinson.
Head.	Stovall.
Hester.	Sullivant.
Hicks.	Turlington.
Hill of Brazoria.	Van Zandt.
Hodges.	Vaughan.
Holloway.	Wells.
Hoskins.	Winningham.
Huddleston.	

Present—Not Voting

Mitcham.	Glass.
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Absent

Bedford.	Hill of Webb.
Butler.	Holland.
Colson.	Kyle of Palo Pinto.
Cowley.	Lemens.
Davidson.	McDougald.
Devall.	Palmer.
Dunlap.	Parkhouse.
Duvall.	Reader.
Dwyer.	Roberts.
Golson.	Shannon.
Harrison.	Shults.

Absent—Excused

Fisher.	Merritt.
Johnson	Metcalfe.
of Dimmit.	Rogers of Hunt.

PAIRED

Mr. Mitcham (present), who would vote "nay," with Mr. Metcalfe (absent), who would vote "yea."

Mr. Glass (present), who would vote "nay," with Mr. Reader (absent), who would vote "yea."

In accordance with the above action, the Speaker announced the appointment of the following new conference committee on House Bill No. 218: Messrs. Walker, McClain, Aikin, Nicholson, and Haag.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 790, "An Act to prohibit the hunting, taking, or killing of wild foxes, or having in possession the pelts thereof in Upshur County; providing a penalty; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 348, "An Act to amend Article 1738, Revised Civil Statutes of Texas of 1925 (as amended by the Acts of 1927, Fortieth Legislature, First Called Session, page 148, Chapter 51, Section 1), so as to provide that the equalization of the business of the Courts of Civil Appeals shall be made by the Supreme Court, as of the close of business in said Courts of Civil Appeals on December 31 and May 31 of each year; and declaring an emergency."

H. B. No. 262, "An Act amending Article 497, of the Penal Code of the State of Texas by striking out the words 'after the death of her mother' immediately following the words 'her mother's husband'; and by striking out the words 'after the death of her daughter' immediately following the words 'her daughter's husband' (relating to marriage rights), and declaring an emergency."

H. B. No. 319, "An Act prohibiting the buyer of baled cotton deducting from the value thereof because of the weight of said bale except as provided herein; and providing that no buyer shall be required to accept a bale of cotton weighing less than three hundred and fifty (350) pounds; fixing a penalty for making deductions contrary to the provisions of this Act, and declaring an emergency."

S. C. R. No. 37, Granting E. G. Powell permission to sue the State.

S. C. R. No. 36, Granting J. B. Dunlap permission to sue the State.

HOUSE BILL NO. 623 WITH SENATE AMENDMENTS

Mr. Leonard called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 623, A bill to be entitled "An Act to further protect the purchasers and consumers of fruits and vegetables, by prescribing methods by which such fruits and vegetables may be identified as to grade and pack; and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Leonard moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences.

The motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted conference committee report on Senate Joint Resolution No. 3 by the following vote: Yeas, 24; nays, 1.

The Senate has passed

H. B. No. 442, A bill to be entitled "An Act creating a Central Mailing Bureau; providing for the control of such Bureau by the State Board of Control; designating the duties and purpose of such Bureau; making an appropriation for the expense of operation and for the purchase of necessary equipment to establish and maintain said Bureau for a period of six months; providing all mail of the State Departments located in the State Capitol, the State Office Building, the State Highway Department Office Building, and the Courthouse State Office Building in Austin shall pass through said Bureau; providing for bonds for personnel of such Bureau; providing an appropriation for a revolving fund; repealing all laws in conflict; and declaring an emergency." (With amendments.)

H. B. No. 670, A bill to be entitled "An Act providing for the issuance of licenses for life, health, and accident insurance agents, and the cancellation thereof, regulating the conduct of persons and companies with reference to acting as, and through, life, health, and accident insurance agents, providing penalties, repealing laws in conflict; and declaring an emergency."

H. B. No. 280, A bill to be entitled "An Act to amend Chapter 273, General Laws, Regular Session, Fortieth Legislature, fixing the salaries of Judges of the Supreme Court, Court of Criminal Appeals, Judges of the Supreme Court Commission of Appeals, Judges of the Commission in Aid of the Court of Criminal Appeals, Judges of the Courts of Civil Appeals and district courts, including criminal district courts of this State, repealing all laws and parts of laws in conflict herewith; and declaring an emergency." (With amendments.)

H. B. No. 623, A bill to be entitled "An Act to further protect the purchasers and consumers of fruits and vegetables, by prescribing methods by which such fruits and vegetables may be identified as to grade and pack; and declaring an emergency." (With amendments.)

H. B. No. 578, A bill to be entitled "An Act defining certain words, terms, and phrases for the purposes of this Act; providing and imposing an occupation tax on sales in intrastate commerce in this State, of cigarettes, according to their weight; providing that the payment of such tax shall be evidenced by stamps furnished by the State Treasurer; authorizing and requiring the Treasurer to design and have printed or manufactured, such stamps; requiring such stamps to be affixed on each individual package of cigarettes; providing that such stamps shall be supplied by the Treasurer to all licensed dealers, at a discount, when purchased in certain quantities; etc.; and declaring an emergency."

H. J. R. No. 14, Proposing an amendment to Article V, of the Constitution of the State of Texas, by adding a new section thereto with four lettered subdivisions, providing for the abolishment of the fee method of compensating county and precinct

officers, and providing that all such officers be paid on a salaries basis, and providing for the payment of all fees into the county treasury; and conferring upon commissioners court general management and control of county affairs; and providing for the appointment of certain officers by the commissioners court, and the combining of any such offices, etc.; repealing all provisions of the Constitution in conflict therewith; and providing for an election upon such proposed constitutional amendment, and making an appropriation therefor."

H. B. No. 264, A bill to be entitled "An Act providing the electors, voting in the election held for the issuance of bonds within the State of Texas or any political subdivision thereof, shall be the owner of taxable property in the State where such election is held and which has been duly rendered for taxation, and providing the tax collector shall certify list of property owners to election judges, and providing that all such electors shall reside in the precinct in which he votes, and declaring an emergency."

The Senate has adopted conference committee report on House Bill No. 399 by the following vote: Yeas, 27; nays, 0.

The Senate has adopted conference committee report on House Bill No. 897 by the following vote: Yeas, 21; nays, 5.

The Senate has concurred in House amendments to Senate Joint Resolution No. 16 by the following vote: Yeas, 27; nays, 0.

The Senate has adopted conference committee report on Senate Bill No. 127 by the following vote: Yeas, 27; nays, 0.

The Senate has adopted

S. C. R. No. 61, Instructing the Board of Control to request all persons, firms, or corporations with which it now holds contracts for the sale of tires to extend certain privileges now enjoyed by the State to counties and cities paying cash for delivery at State depositories.

Respectfully,
BOB BARKER,
Secretary of the Senate.

CONFERENCE COMMITTEE RE-
PORT ON HOUSE BILL
NO. 897

Mr. Kayton submitted the following conference committee report on House Bill No. 897:

Committee Room,
Austin, Texas, May 12, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the House and Senate on House Bill No. 897, have considered same, and beg leave to request that the bill pass in the following form:

"H. B. No. 897,

A BILL

To Be Entitled

An Act to create the Texas Rehabilitation and Relief Commission for the purpose of administering Federal and/or State funds for employment rehabilitation and/or relief of the unemployed; providing Commission shall cease to exist two (2) years after effective date of Act, or at such earlier time as in the opinion of the Governor it may be dispensed with, defining duties of Commission; providing for appointment of members of Commission, director of Commission, and employees; providing for establishment of county departments of rehabilitation and relief, their powers and organization, making an appropriation; providing if any part of this Act is declared unconstitutional, it shall not affect the validity of the remainder; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. For the purpose of coordinating and unifying the administration of all funds, of a Federal and/or State character, appropriated, or otherwise made available for the employment, rehabilitation, and/or relief of the unemployed, there is hereby created the Texas Rehabilitation and Relief Commission. At the expiration of two (2) years from the date of the enactment of this Act, or at such earlier time, as in the opinion of the Governor of the State of Texas

such Commission may be dispensed with, said Commission shall cease to exist.

Sec. 2. It shall be the duty of the Commission to administer all funds made available by the Federal Government, including without exclusion because of enumeration, projects made possible by the Emergency Conservation Act, public work projects, self-liquidating projects, construction of housing units to be rented at low cost, colonization projects, crop production made possible under the Emergency Relief and Reconstruction Act, and to take steps to restore agriculture and industry to a normal working condition, provided that its activities shall have as their sole and exclusive objects the providing of employment and/or relief to the unemployed.

Sec. 3. The Texas Rehabilitation and Relief Commission, of which the Governor shall be ex officio chairman, shall be composed of seven (7) members: three (3) to be appointed by the Governor, two (2) by the Lieutenant-Governor, and two (2) by the Speaker of the House of Representatives. The members of said Commission shall serve without pay. The Governor shall appoint a director of said Commission, whose salary shall be fixed by the Commission, at a sum not to exceed four thousand dollars (\$4,000) per year. Subject to the approval of the chairman of the Commission, the director shall appoint such employees as are necessary to carry out the provisions of this Act, at salaries not to exceed those being paid by the State of Texas to employees performing similar duties in the State Departments, and in no instance to be in excess of the following scale:

Assistant directors, two hundred and fifty dollars (\$250) per month;

Chief auditor and accountant, two hundred and twenty-five dollars (\$225) per month;

Inspectors and/or field agents, on a basis of one hundred and fifty dollars (\$150) per month, none to exceed one hundred and seventy-five dollars (\$175) per month;

Bookkeepers and/or accountants, one hundred and fifty dollars (\$150) per month;

Stenographers and clerks, on a basis of one hundred dollars (\$100) per month, none to exceed one hundred and ten dollars (\$110) per month.

Sec. 4. The Texas Rehabilitation and Relief Commission shall establish county boards of welfare and employment. Each county board of welfare and employment shall consist of five (5) members who shall be appointed by the Texas Rehabilitation and Relief Commission with the approval of the commissioners court of the county, for a term of one year, and shall serve without compensation. It shall be the duty of the county boards of welfare and employment to co-ordinate and unify all work of the administration and disbursement of funds made available by the State or Federal Government for the employment and/or relief of the unemployed. Subject to the rules and regulations of the Texas Rehabilitation and Relief Commission, the county boards of welfare and employment shall promote, organize, and administer rehabilitation and/or relief to the unemployed through the organization of work opportunity, employment, or relief. The organization of the county boards of welfare and employment as well as the employment of personnel, their use of records and all other matters necessary to the successful carrying out of the intent and purpose shall be subject to, and under the direction of, the Texas Rehabilitation and Relief Commission. The governing body of any county and/or city may, by mutual agreement, delegate the supervision and direction of any public welfare agency under their respective control to the county boards of welfare and employment.

Sec. 5. There is hereby appropriated out of the General Fund of the State of Texas, not otherwise appropriated, the sum of fifty thousand dollars (\$50,000), or so much thereof as is necessary, to be expended in the twelve (12) months' period immediately following the passage of this Act, and a sum of fifty thousand dollars (\$50,000), or so much thereof as is necessary, for the second twelve (12) months' period of the life of this Act, to be used in the defraying of the necessary costs of the Commission in carrying out the provisions of this Act.

But in no event shall any of the above sums be used for the purpose of securing any technical reports which might be supplied by any existing department of State Government,

and the Highway Commission of Texas. The State Reclamation Engineer, the State Water Board, the State Forester, all State educational institutions, and all other departments and agencies of State Government are hereby instructed and required, and it is made their duty, to furnish all such information and data, and to provide all technical reports desired, concerning any matter under the control of such department.

Sec. 6. It shall be the duty of the Commission, through the Chief Auditor, to make monthly statements, duly itemized as to all moneys expended from this appropriation, showing to whom paid, and for what said money was expended, which statements shall be filed in the office of the Secretary of State, and a copy with the State Comptroller.

Sec. 7. No person shall be employed in connection with the work contemplated by this Act, nor shall any person receive any compensation, directly or indirectly, out of the funds herein appropriated who is related by blood or marriage within the first degree to any other person employed or receiving compensation out of the funds appropriated, or who is so related to any officer of the State, whether elected or appointed, or who is so related to the head of any department of the State, or to any Member of the Legislature of the State of Texas. Provided, however, this prohibition shall not apply to the children over twenty-one (21) years of age of the above-mentioned officers or heads of departments.

Sec. 8. If any section, clause, provision, or sentence in this Act contained should ever be held to be unconstitutional, such holding shall not affect the remaining portions of this Act.

Sec. 9. The fact that there are vast numbers of unemployed in the State of Texas, and that the Federal Government has made available large sums of money, but there is no State agency to disburse these funds, or to make said funds available to Texas creates an emergency and a public necessity requiring the suspension of the constitutional rule, which requires all bills to be read in each House on three several days, and that such rule be, and the same is hereby, suspended,

and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

BECK,
PACE,
WOODWARD,
MARTIN,

On the part of the Senate;

KAYTON,
STINSON,
BAKER,
HUDDLESTON,
DAVIDSON,

On the part of the House.

Mr. Kayton moved that the report be adopted.

Mr. Leonard moved that further consideration of the report be postponed until 10 o'clock a. m., next Friday.

Mr. Parkhouse moved the previous question on the pending motions, and the main question was ordered.

Question first recurring on the motion by Mr. Leonard, it was lost by the following vote:

Yeas—44

Adamson.	Hunt.
Aikin.	James.
Alexander.	Jones of Runnels.
Alsup.	Kyle of Hays.
Anderson	Leonard.
of Johnson.	Lindsey.
Beck.	McDougald.
Bourne.	Mitcham.
Burns.	Moffett.
Calvert.	Morrison.
Camp.	Munson.
Canon.	Puryear.
Chastain.	Reed of Bowie.
Crossley.	Reed of Dallas.
Daniel.	Rogers
Dean.	of Ochiltree.
Fain.	Scott.
Glass.	Stovall.
Graves.	Vaughan.
Greathouse.	Walker.
Head.	Wells.
Hicks.	Winningham.
Hoskins.	Young.

Nays—73

Anderson	Colson.
of Bexar.	Coombes.
Baker.	Davidson.
Barrett.	Dunagan.
Bedford.	Dwyer.
Bradley.	Ford.
Cathey.	Fuchs.
Celaya.	Good.

Griffith.	Nicholson.
Hankamer.	Palmer.
Harman.	Parkhouse.
Harris.	Pavlica.
Hartzog.	Pope.
Hester.	Ramsey.
Hill of Brazoria.	Ratliff.
Hodges.	Ray.
Holekamp.	Reader.
Holland.	Renfro.
Holloway.	Riddle.
Huddleston.	Rollins.
Hyder.	Russell.
Jackson.	Savage.
Jefferson.	Smith.
Jones of Atascosa.	Stanfield.
Jones of Shelby.	Steward.
Kayton.	Stinson.
Kyle of Palo Pinto.	Sullivant.
Laird.	Tarwater.
Latham.	Tennyson.
Long.	Thomas.
Lotief.	Tillery.
Mackay.	Townsend.
Magee.	Turlington.
Mathis.	Van Zandt.
McKee.	Wagstaff.
Moore.	Weinert.
Morse.	Wood.

Absent

Barron.	Hill of Webb.
Butler.	Hughes.
Caven.	Johnson
Clayton.	of Anderson.
Cowley.	Lemens.
Devall.	McClain.
Dunlap.	McCullough.
Duvall.	McGregor.
Engelhard.	Patterson.
Few.	Roberts.
Golson.	Ross.
Goodman.	Scarborough.
Haag.	Shannon.
Harrison.	Shults.

Absent—Excused

Fisher.	Merritt.
Johnson	Metcalfe.
of Dimmit.	Rogers of Hunt.

Question then recurring on the motion by Mr. Kayton, that the report be adopted, it prevailed by the following vote:

Yeas—101

Alsup.	Bourne.
Anderson	Bradley.
of Bexar.	Calvert.
Anderson	Cathey.
of Johnson.	Caven.
Baker.	Celaya.
Barron.	Clayton.
Beck.	Colson.
Bedford.	Coombes.

Crossley.	McKee.
Davidson.	Mitcham.
Dean.	Moffett.
Dunagan.	Moore.
Dwyer.	Morrison.
Engelhard.	Morse.
Ford.	Munson.
Fuchs.	Nicholson.
Glass.	Palmer.
Good.	Parkhouse.
Goodman.	Patterson.
Greathouse.	Pavlica.
Griffith.	Pope.
Hankamer.	Ramsey.
Harman.	Ratliff.
Harris.	Ray.
Hartzog.	Reader.
Head.	Reed of Dallas.
Hester.	Renfro.
Hicks.	Riddle.
Hill of Brazoria.	Rollins.
Hodges.	Ross.
Holekamp.	Russell.
Holland.	Savage.
Holloway.	Smith.
Hoskins.	Stanfield.
Huddleston.	Steward.
Hyder.	Stinson.
Jackson.	Stovall.
Jefferson.	Sullivant.
Jones of Atascosa.	Tarwater.
Jones of Runnels.	Tennyson.
Jones of Shelby.	Thomas.
Kayton.	Tillery.
Kyle of Hays.	Townsend.
Kyle of Palo Pinto.	Turlington.
Laird.	Van Zandt.
Latham.	Wagstaff.
Long.	Walker.
Lotief.	Weinert.
Magee.	Wells.
Mackay.	Wood.
Mathis.	

Nays—22

Adamson.	Leonard.
Aikin.	Lindsey.
Alexander.	McDougald.
Barrett.	Puryear.
Burns.	Reed of Bowie.
Camp.	Rogers
Canon.	of Ochiltree.
Chastain.	Scott.
Daniel.	Vaughan.
Fain.	Winningham.
Hunt.	Young.
James.	

Absent

Butler.	Haag.
Cowley.	Harrison.
Devall.	Hill of Webb.
Dunlap.	Hughes.
Duvall.	Johnson
Few.	of Anderson.
Golson.	Lemens.
Graves.	McClain.

McCullough.	Scarborough.
McGregor.	Shannon.
Roberts.	Shults.

Absent—Excused

Fisher.	Merritt.
Johnson	Metcalf.
of Dimmit.	Rogers of Hunt.

RELATIVE TO HOUSE JOINT
RESOLUTION NO. 14

Mr. Coombes moved that the Speaker of the House and the Chief Clerk of the House be instructed to erase their signatures from the enrolled copy of House Joint Resolution No. 14.

The motion prevailed.

Mr. Coombes then moved that the House concur in the Senate amendments to House Joint Resolution No. 14.

The motion prevailed by the following vote:

Yeas—104

Adamson.	Hester.
Aikin.	Hill of Brazoria.
Alexander.	Hodges.
Alsup.	Holekamp.
Anderson	Holland.
of Bexar.	Holloway.
Anderson	Hoskins.
of Johnson.	Huddleston.
Barrett.	Hughes.
Barron.	Hyder.
Beck.	Jackson.
Bedford.	James.
Bourne.	Jefferson.
Calvert.	Johnson
Camp.	of Anderson.
Canon.	Jones of Runnels.
Cathey.	Jones of Shelby.
Caven.	Kayton.
Celaya.	Kyle of Hays.
Chastain.	Kyle of Palo Pinto.
Clayton.	Latham.
Coombes.	Leonard.
Crossley.	Lindsey.
Davidson.	Lotief.
Dean.	Magee.
Engelhard.	Mackay.
Fain.	Mathis.
Ford.	McDougald.
Fuchs.	McKee.
Glass.	Mitcham.
Good.	Moffett.
Greathouse.	Moore.
Griffith.	Morrison.
Haag.	Morse.
Hankamer.	Munson.
Harman.	Nicholson.
Harris.	Palmer.
Hartzog.	Parkhouse.
Head.	Patterson.

Pavlica.	Steward.
Pope.	Stinson.
Ratliff.	Stovall.
Ray.	Sullivant.
Reed of Bowie.	Tennyson.
Reed of Dallas.	Thomas.
Renfro.	Townsend.
Riddle.	Turlington.
Rogers	Van Zandt.
of Ochiltree.	Wagstaff.
Ross.	Walker.
Russell.	Wells.
Savage.	Winningham.
Smith.	Wood.
Stanfield.	Young.

Nays—7

Baker.	Puryear.
Burns.	Rollins.
Daniel.	Vaughan.
Laird.	

Absent

Bradley.	Jones of Atascosa.
Butler.	Lemens.
Colson.	Long.
Cowley.	McClain.
Devall.	McCullough.
Dunlap.	McGregor.
Dunagan.	Ramsey.
Duvall.	Reader.
Dwyer.	Roberts.
Few.	Scarborough.
Golson.	Scott.
Goodman.	Shannon.
Graves.	Shults.
Harrison.	Tarwater.
Hicks.	Tillery.
Hill of Webb.	Weinert.
Hunt.	

Absent—Excused

Fisher.	Merritt.
Johnson	Metcalf.
of Dimmit.	Rogers of Hunt.

HOUSE BILL NO. 154 WITH SEN-
ATE AMENDMENTS

Mr. Coombes called up, for consideration at this time, the motion to reconsider the vote by which the House concurred in Senate amendments to House Bill No. 154, which motion to reconsider was heretofore spread on the Journal.

Question recurring on the motion to reconsider, it prevailed.

Mr. Moore moved that further consideration of the bill be postponed until 9:30 o'clock a. m., next Monday.

Mr. Scott moved to table the motion to postpone.

The motion to table prevailed.

Question then recurring on the motion by Mr. Daniel, that the House

concur in the Senate amendments, it prevailed by the following vote:

Yeas—90

Adamson.	Hunt.
Aikin.	James.
Alexander.	Jefferson.
Alsup.	Johnson
Anderson	of Anderson.
of Johnson.	Jones of Runnels.
Baker.	Jones of Shelby.
Barrett.	Kayton.
Barron.	Kyle of Hays.
Beck.	Kyle of Palo Pinto.
Bedford.	Laird.
Bourne.	Latham.
Burns.	Leonard.
Calvert.	Lindsey.
Camp.	Lotief.
Canon.	Mackay.
Cathey.	Magee.
Caven.	Mitcham.
Chastain.	Munson.
Colson.	Palmer.
Coombes.	Parkhouse.
Crossley.	Puryear.
Daniel.	Ratliff.
Davidson.	Reed of Bowie.
Dean.	Reed of Dallas.
Devall.	Riddle.
Engelhard.	Rogers
Fain.	of Ochiltree.
Ford.	Rollins.
Fuchs.	Russell.
Glass.	Savage.
Good.	Scott.
Goodman.	Smith.
Graves.	Stanfield.
Greathouse.	Stinson.
Griffith.	Stovall.
Harris.	Tarwater.
Hartzog.	Thomas.
Head.	Tillery.
Hester.	Townsend.
Hicks.	Turlington.
Hill of Brazoria.	Van Zandt.
Hodges.	Vaughan.
Holloway.	Winningham.
Hoskins.	Wood.
Huddleston.	Young.
Hughes.	

Nays—27

Anderson	Moore.
of Bexar.	Morse.
Celaya.	Nicholson.
Clayton.	Patterson.
Dunlap.	Pavlica.
Dwyer.	Pope.
Haag.	Renfro.
Hankamer.	Ross.
Harman.	Steward.
Holekamp.	Sullivant.
Holland.	Tennyson.
Jackson.	Wagstaff.
Mathis.	Walker.
McDougald.	Wells.

Absent

Bradley.	McCullough.
Butler.	McGregor.
Cowley.	McKee.
Dunagan.	Moffett.
Duvall.	Morrison.
Few.	Ramsey.
Golson.	Ray.
Harrison.	Reader.
Hill of Webb.	Roberts.
Hyder.	Scarborough.
Jones of Atascosa.	Shannon.
Lemens.	Shults.
Long.	Weinert.
McClain.	

Absent—Excused

Fisher.	Merritt.
Johnson	Metcalfe.
of Dimmit.	Rogers of Hunt.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 12, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has passed

H. B. No. 182, A bill to be entitled
"An Act to amend Article 6834, of the
Revised Civil Statutes of Texas of
1925, as amended by Acts of the Fifth
Called Session of the Forty-first Leg-
islature, Chapter 28, page 160, Sec-
tion 1, relating to the manner of hold-
ing elections for the issuing of sea wall
bonds, and to amend Article 6835, of
the Revised Civil Statutes of the State
of Texas of 1925, as amended by Acts
of the Fourth Called Session of the
Forty-first Legislature, Chapter 35,
page 73, Section 2, relating to the
manner of declaring the results of
elections held for the issuance of sea
wall bonds; and declaring an emer-
gency."

H. B. No. 97, A bill to be entitled
"An Act amending Article 841, of the
Code of Criminal Procedure of the
State of Texas, 1925, so as to provide
that the clerk of a court from which
an appeal is taken shall prepare a
transcript in duplicate in every case,
the copy to be filed in the trial court
with the original papers in the case;
and declaring an emergency."

H. B. No. 296, A bill to be entitled
"An Act to amend Article 1685, of
the Revised Civil Statutes of Texas,

1925, providing for quarterly and
annual reports of the county auditor
to the commissioners court, and dis-
trict judge, or judges, of his county;
providing for contents of said report;
providing for the time of filing; and
declaring an emergency."

H. B. No. 360, A bill to be entitled
"An Act to amend Article 451, of
the Code of Criminal Procedure, 1925,
relating to the taking of bail in fel-
ony cases; providing that in cases of
arrest for felony less than capital,
the sheriff may take the bail, and
providing a manner of requiring new
bail after indictment, if insufficient
bail has been taken; and declaring an
emergency."

H. B. No. 303, A bill to be entitled
"An Act to regulate the operation
of corporations organized and incor-
porated under a pre-existing law in
this State without capital stock and
not for profit, which law has been
amended or repealed or re-enacted,
and which were operating and carry-
ing on in this State immediately prior
to January 1, 1933, the State-wide
business of mutually protecting or
insuring the lives of their members
by assessments made upon their mem-
bers; and providing that local mu-
tual aids, operating under the terms
of Chapter 274, Acts of 1929, Forty-
first Legislature, page 563, may com-
ply with the terms of this Act; and
revoking, repealing, and cancelling
the charters of such corporations, ex-
cept local mutual aids, failing to com-
ply with this Act, and forever pro-
hibiting such corporations from do-
ing business in this State, and pro-
viding for their liquidation; and re-
voking, repealing, and cancelling the
charters of all mutual relief or bene-
fit associations exempt from the in-
surance laws of this State under the
provisions of Article 2971-a, Revised
Statutes of 1879, and Article 3096
and 3096-w, of the Revised Statutes
of 1895, failing to comply with the
terms of this Act, and forever pro-
hibiting said associations from doing
business in this State, and providing
for the liquidation of same; and ex-
cepting certain insurance companies
and associations from the provisions
of this Act, etc.; and declaring an
emergency." (With amendments.)

H. B. No. 450, A bill to be entitled
"An Act amending Chapter 16, of the
Acts of the General Laws of the

Fourth Called Session of the Forty-first Legislature of the State of Texas, so as to provide that 75 per cent of the salary of the county judge, as well as 75 per cent of the salaries of county commissioners be paid out of the road and bridge fund and the remainder be paid out of the general fund of the county; and declaring an emergency."

H. B. No. 891, A bill to be entitled "An Act providing for the payment by the Secretary of State for the printing of constitutional amendments submitted by the Forty-second Legislature, out of the moneys appropriated by the Forty-second Legislature; and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

CONFERENCE COMMITTEE ON HOUSE BILL NO. 623

The Speaker announced the appointment of the following conference committee on House Bill No. 623: Messrs. Leonard, Tarwater, Engelhard, Celaya, and Glass.

RELATIVE TO MANUFACTURE OF LICENSE PLATES FOR AUTOMOBILES

Mr. Harman offered the following resolution:

Whereas, On April 29, this House passed a resolution requesting the State Board of Control to withhold the award of a contract for the manufacture of license plates and chauffeur badges for the year 1934; and

Whereas, We have been advised by the Board of Control that the Penitentiary management has stated that it will be impossible for a plant to be purchased and installed early enough to insure the manufacture of the license plates this year; and

Whereas, The bids have been opened, and the contract is ready to be awarded if this resolution should be adopted; and

Whereas, The advance in materials makes it imperative that an early decision be made in order that the successful bidder may be advised as to the award; therefore, be it

Resolved by the House of Representatives of the State of Texas, That the Board of Control be requested to

disregard the resolution passed on April 29, requesting them to withhold the award of the contract.

HARMAN,
CATHEY.

The resolution was read second time, and was adopted.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committee, as follows:

Senate Bills Nos. 557 and 558, to the Committee on Appropriations.

RECESS

Mr. Wells moved that the House recess to 9:30 o'clock a. m., tomorrow.

Mr. Mathis moved that the House recess to 9:30 o'clock a. m., next Monday.

The motion of Mr. Wells prevailed, and the House, accordingly, at 6:10 o'clock p. m., took recess to 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Education: Senate Bill No. 24.

Constitutional Amendments: Senate Joint Resolution No. 14.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, May 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 847, A bill to be entitled "An Act making an appropriation of the sum of five thousand and seventy-four dollars and sixteen cents (\$5,074.16), or so much thereof as may be necessary, out of the County and Road District Highway Fund of the State of Texas, to pay the expenses incurred in the administration of Chapter 13, Acts of the Third Called Session of the Forty-second Legisla-

ture, and making an appropriation out of an unused balance heretofore appropriated for the construction of a State Highway Building, out of the State Highway Fund for use by the State Board of Control until September 1, 1933, in installing equipment and files in basement of State Highway Building and in transferring, filing, and indexing valuable papers and records to be placed in said basement, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, May 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 348, "An Act to amend Article 1738, Revised Civil Statutes of Texas of 1925 (as amended by the Acts of 1927, Fortieth Legislature, First Called Session, page 148, Chapter 51, Section 1), so as to provide that the equalization of the business of the Courts of Civil Appeals shall be made by the Supreme Court as of the close of business in said Courts of Civil Appeals on December 31 and May 31 of each year; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

GOOD, Acting Chairman.

Committee Room,
Austin, Texas, May 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 319, "An Act prohibiting the buyer of baled cotton deducting from the value thereof because of the weight of said bale except as provided herein; and providing that no buyer shall be required to accept a bale of cotton weighing less than three hundred and fifty (350) pounds; fixing a penalty for making deductions contrary to the provisions of this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

GOOD, Acting Chairman.

Committee Room,
Austin, Texas, May 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 262, "An Act amending Article 497, of the Penal Code of the State of Texas, by striking out the words 'after the death of her mother' immediately following the words 'her mother's husband'; and by striking out the words 'after the death of her daughter' immediately following the words 'her daughter's husband,' and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

GOOD, Acting Chairman.

Committee Room,
Austin, Texas, May 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 790, "An Act to prohibit the hunting, taking, or killing of wild foxes, or having in possession the pelts thereof in Upshur County; providing a penalty; repealing all laws or parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

GOOD, Acting Chairman.

SIXTY-FOURTH DAY

(Continued)

(Saturday, May 13, 1933)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

HOUSE BILL NO. 303 WITH SENATE AMENDMENTS

Mr. Ratliff called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 303, A bill to be entitled "An Act to regulate the operation of corporations organized and incorporated under a pre-existing law in this State without capital stock and not for profit, which law has been amended or repealed or re-enacted, and which were operating and carrying on in this State immediately prior to January 1, 1933, the State-wide